

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TALECIA CHAMBERS and
BILLY JOE CHAMBERS,

Plaintiffs,

v.

Case No. 09-14731
Hon. Lawrence P. Zatkoff

INGRAM BOOK CO., INGRAM PUBLISHING
SERVICES, INC., LIGHTNING SOURCE, INC.,
ERICA COLEMAN, and JOHN DOE 1-10,

Defendants.

ORDER WITHDRAWING ORDER TO SHOW CAUSE

On September 24, 2010, Defendant Erica Coleman answered Plaintiffs' complaint and filed counterclaims based on breach of contract and libel and slander. Plaintiffs failed to respond to Defendant Coleman's counterclaims and Defendant Coleman's January 13, 2011, Requests for Admissions. On February 18, 2011, Defendants filed a motion requesting the Court to deem Plaintiffs' Request for Admissions admitted and a motion to stay the scheduling deadlines. As a result, this Court issued an order to show cause [dkt 43] requiring Plaintiffs to explain why Plaintiffs failed to respond to Defendant Coleman's counterclaims. The Court further ordered Plaintiffs to file separate responses to Defendants' motions by Tuesday, March 8, 2011.

Plaintiffs timely filed a response to this Court's show-cause order, indicating that it was their belief that their answers to Defendant Coleman's Requests for Admissions were not due until March 15, 2011. According to Plaintiffs, Defendant Coleman's Requests for Admissions were served on

November 22, 2010, to an incorrect address. Plaintiffs' counsel was unaware that the old address existed in the court system until now and filed an answer to Defendant Coleman's counterclaims. Thus, the Court finds that Plaintiffs' counsels' representations satisfactorily addressed why Plaintiffs failed to respond to Defendant Coleman's counterclaims.

Plaintiffs, however, were also ordered to file responses to Defendants' motion to deem requests admitted and motion to stay the scheduling deadlines. Plaintiffs failed to file a response to Defendants' motion to stay the scheduling deadlines. The Court warned Plaintiffs that failure to file a response to Defendants' motion may result in the Court granting Defendants such relief. Therefore, Defendants' motion to stay the scheduling deadlines is granted as set forth below.

Accordingly, the Court hereby WITHDRAWS its March 2, 2011, Order to Show Cause [dkt 43].

IT IS FURTHER ORDERED that Defendants' Motion to Stay the Scheduling Deadlines [dkt 40] is granted in the following respects:

(1) discovery is STAYED until this Court rules upon Defendants' Motion to Deem Requests Admitted [dkt 39]; and

(2) if Defendants' Motion to Deem Requests Admitted [dkt 39] is granted, discovery is further STAYED so long as Defendants file a dispositive motion within 21 days of the Court's order addressing Defendants' Motion to Deem Requests Admitted [dkt 39].

IT IS SO ORDERED.

S/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: March 17, 2011

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on March 17, 2011.

S/Marie E. Verlinde

Case Manager

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